



Squire Patton Boggs (US) LLP  
30 Rockefeller Plaza  
New York, New York 10112

O +1 212 872 9800  
F +1 212 872 9815  
squirepattonboggs.com

Victor Genecin  
T +1 212 872 9889  
victor.genecin@squirepb.com

December 7, 2017

**VIA ECF**

Hon. P. Kevin Castel  
United States District Judge  
500 Pearl Street  
New York, NY 10007-1312

**Re: *IN RE APPLICATIONS OF APOSTOLOS MANGOURAS,*  
*Case No. 1:17-mc-172 (PKC)***

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Dear Judge Castel:

We represent Respondents in the above-referenced case, and write concerning the attached Order of the Court of Appeals, received this afternoon.

In its Order, the Court of Appeals writes:

The District Court order granting the § 1782 request leaves open issues of privilege.

In fact, your Honor's Order (ECF Doc. No. 59) did not resolve issues of Spanish privilege. Such being the case, and in view of the fact that, pursuant to § 1782:

A person may not be compelled to give his testimony or statement or produce a document or other thing in violation of any legally applicable privilege,

28 U.S.C. § 1782, we respectfully request the opportunity to brief the privilege issues raised by this case. We would submit our memorandum of law on December 15, 2017.

We are grateful for the Court's courtesies and attention to this matter.

Squire Patton Boggs (US) LLP

Hon. P. Kevin Castel  
United States District Judge  
December 7, 2017

Respectfully,

**SQUIRE PATTON BOGGS (US) LLP**



Victor Genecin

cc: Thomas L. Tisdale, Esq. (by e-mail)  
Sean Sheely, Esq., Holland & Knight LLP (by e-mail)  
H. Barry Vasios, Esq., Holland & Knight LLP (by e-mail)

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7<sup>th</sup> day of December, two thousand seventeen.

José A. Cabranes,  
Debra Ann Livingston,  
Susan L. Carney,  
*Circuit Judges.*

*Petitioner-Appellee,*

V.

17-3633

Squire Patton Boggs, Brian Douglas Starer, Esq.,  
C.R. Cushing & Co. Inc., Charles R. Cushing,  
*Respondents-Appellants.*

*Respondent.*

Appellants move for a stay of the District Court’s orders granting Appellee’s request for discovery under 28 U.S.C. § 1782. Upon due consideration, it is hereby ORDERED that Appellants’ motion for a stay is DENIED. *See U.S. S.E.C. v. Citigroup Glob. Mkts., Inc.*, 673 F.3d 158, 162 (2d Cir. 2012). It is further ORDERED that Appellee’s motion to expedite consideration of the stay motion is DENIED as moot.

The District Court order granting the § 1782 request leaves open issues of privilege. The parties' merits briefs should address, among any other issues, the effect of those open issues on the finality of the order as it relates to this Court's jurisdiction.

Catherine O'Hoppe Wolfe

Catherine O'Hanlon Wolfe